

ARTHUR J. CASEY (Bar No. 123273)
CARRIE M. DUPIC (Bar No. 240252)
ROBINSON & WOOD, INC.
227 North First Street
San Jose, CA 95113-1016
Telephone: 408/298-7120
Facsimile: 408/298-0477

Attorneys for Defendant
DHL CANADA EXPRESS, LTD. a
Canadian corporation; and LOOMIS CANADA
HOLDING COMPANY, INC. a Canadian
Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRICOR AMERICA, INC., a California
corporation

Plaintiff,

vs.

DHL CANADA EXPRESS, LTD., a
Canadian corporation; LOOMIS CANADA
HOLDING COMPANY, INC., a Canadian
corporation; and DOES 1 through 25,
inclusive,

Defendants.

Case No. C 07 4949 CRB

**DEFENDANTS' NOTICE OF
WITHDRAWAL RE MOTION TO
DISMISS UNDER RULE 12(b)(6)**

Complaint filed: September 25, 2007

Assigned to Judge Charles R. Bryer

TO THE COURT, PLAINTIFF, AND ITS ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that pursuant to Local Rule of Court 7-7(e), Defendants DHL
Canada Express, Ltd., and Loomis Canada Holding Company, Inc., both Canadian corporations,
HEREBY WITHDRAW their Motion to Dismiss Under Rule 12(b)(6) because that motion
concerned Plaintiff's original Complaint, which has since been superceded by Plaintiff's First

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1 Amended Complaint ("FAC"). Defendants are evaluating the FAC and reserve the right to
2 challenge that pleading as allowed by Rule 12.

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4 Dated: November 30, 2007

ROBINSON & WOOD, INC.

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6 By: 
7 CARRIE M. DUPIC
8 Attorneys for Defendants,
9 DHL CANADA EXPRESS, LTD. a
10 Canadian corporation; and LOOMIS
11 CANADA HOLDING COMPANY, INC. a
12 Canadian Corporation
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